



News Release

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**IDWR ISSUES NOTICES OF VIOLATIONS, CEASE & DESIST ORDERS
TO WATER USERS FOR VIOLATIONS OF WATER LAWS**

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State water managers have issued a series of notice of violations and cease & desist orders against water users that have violated state water laws, the Idaho Department of Water Resources said today.

The actions are directed against four different water users in the southern half of the state and include civil penalties totaling \$128,200. Three are for illegal diversion and use of water while the fourth seeks to shut off and control water to an unused ditch.

The four are:

- A Notice of Violation to Wild Horse Partners, LLC, Ketchum for diverting water without a valid water right from Warm Springs Creek to a recreational pond and a ditch for stock watering in a period of time when such diversions were not authorized under valid water rights. Wild Horse Partners was also cited for diversion of water without measuring devices and headgates. The action seeks \$10,000 in civil penalties;
- A Notice of Violation to the South Elmore Irrigation Company. Mountain Home, for unauthorized diversion of water from the Snake River for irrigation of approximately 144 acres of land without a valid water right. The action seeks civil penalties of \$43,200;
- A Notice of Violation to the Guardian LTD Partnership NO. 2, Salmon, for illegal diversion of water from Hayden, East Fork of Hayden, Little Sawmill and Meadow Creeks and irrigation of 250 acres of land without a valid water right. The action seeks \$75,000 in civil penalties.

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- A Preliminary Cease and Desist Order to Jimmie Dowton, May, Idaho for diversion of water from the Pahsimeroi River into a ditch that has no associated water rights. The order seeks no civil penalties as there is no re-diversion of water from the ditch. Water diverted into the ditch eventually returns to the Pahsimeroi; however, the order requires the diversion be shut off and that lockable controlling works ~~must~~ be installed to prevent further flow of water down the ditch.

All four will be given an opportunity to meet with the Department to determine how the actions will be resolved. IDWR officials also said that the sought-after civil penalties may be reduced depending on the resolution to the violations.

The enforcement actions are part of an on-going effort within IDWR to make sure water use is strictly controlled by water rights, particularly in light of the lack of water due to the on-going drought. IDWR water managers and agents are employing both on-site visits and satellite imagery in the enforcement actions.